



CASE REPORT

1. Complaint reference number	431/06
2. Advertiser	Central Fitness Pty Ltd
3. Product	Leisure & Sport
4. Type of advertisement	Outdoor
5. Nature of complaint	Portrayal of sex/sexuality/nudity – section 2.3
6. Date of determination	Tuesday, 14 November 2006
7. DETERMINATION	Dismissed

DESCRIPTION OF THE ADVERTISEMENT

This outdoor advertisement features a woman's torso wearing black leotards and green bra-style top leaning forward with one hand on her knee, and the other holding an exercise dumb-bell behind her.

THE COMPLAINT

Comments which the complainant/s made regarding this advertisement included the following:

The large billboard depicting a woman in skimpy clothing is degrading to women and has subliminal messages. Firstly, only the neck to the knees is depicted sending a message to the public that this is the only portion of a woman that has any importance. Secondly the dumbbell is positioned in such a way to suggest a dildo.

THE ADVERTISER'S RESPONSE

Comments which the advertiser made in response to the complaint/s regarding this advertisement included the following:

We do not believe that our advertisement breaches the Code of Ethics in any manner whatsoever.

Only a discriminatory mind would think that the "neck to knees" of the female body are the only thing of importance and only a perverted mind would think that the dumbbell is being portrayed as a "dildo".

The advertisement has been in position since December 2005 with only (this) complaint received.

THE DETERMINATION

The Advertising Standards Board ("Board") considered whether this advertisement breaches section 2 of the Advertiser Code of Ethics (the "Code").

The Board viewed the advertisement and considered the complainant's comments that the advertisement depicted or symbolised a sexual act. The Board considered whether the advertisement breached section 2.3 of the code dealing with sex, sexuality and nudity.

The Board determined that the advertisement only showed a woman lifting a dumbbell and that while some people might read their own sexual symbology into the advertisement, it was unlikely that the broader community would see the dumbbell as a dildo. While the woman's cleavage was clearly shown, presumably to impart the body-shaping benefits of the gym being advertised, there was no particularly sexual context to the advertisement. Hence the Board determined that the advertisement did treat sex or sexuality insensitively and therefore did not breach section 2.3 of the Code.

Further finding that the advertisement did not breach the Code on any other grounds, the Board

dismissed the complaint.